IN RE: PETITION FOR ADMIN. VARIANCE

E/S of Button Buck Circle, 35' S

of Deer Trail Way

2nd Election District

2nd Councilmanic District

9605 Button Buck Circle

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 99-485-A

Anthony Cross & Joycelyn Anthony-Cross

Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Anthony Cross & Joycelyn Anthony-Cross, property owners, for that property known as 9626 Button Buck Circle in the Randallstown area of Baltimore County. The Petitioners herein seek a variance from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 17 ft. in lieu of 22.5 ft. for an open projection in a D.R.5.5 zone. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to windicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of June, 1999 that a variance from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 17 ft. in lieu of 22.5 ft. for an open projection in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

SALVE TANK: raj



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

June 28, 1999

Mr. & Mrs. Anthony Cross 9626 Button Buck Circle Randallstown, Maryland 21133

Re: Petition for Administrative Variance

Case No. 99-485-A

Property: 9626 Button Buck Circle

Dear Mr. & Ms. Cross:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

luntly Hotroco

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

WARY LAND	
for	the property located at 4626 BUTTON BUCK CIRCLE
	which is presently zoned OK-2
owner(s) of the property situate in Baltimore Co made a part hereof, hereby petition for a Varian	
TO permit A Rear Yard	Setback of 17 ft. in liew of 22.5 FT.
FOR AN OPEN PROJECTION	
of the zoning regulations of Baltimore County, to of this petition form.	to the zoning law of Baltimore County, for the reasons indicated on the bac
Property is to be posted and advertised as presel, or we, agree to pay expenses of above Variance, a regulations and restrictions of Baltimore County adoptions	scribed by the zoning regulations. advertising, posting, etc. and further agree to and are to be bounded by the zonin opted pursuant to the zoning law for Baltimore County.
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
	Name - Type or Print
Name - Type or Print	
Signature	Signature Cross
Address Tele	ephone No. Name - Type or Print
City State	Zip Code Signature Signature 410-655-7121
Attorney For Petitioner:	9626 BUTTON BUCK CIRCLE 410-333-1733
	Randallstown MD. 21133
Name Type or Print	City State Zip Code Representative to be Contacted:
Signature	Nicholas D. Trev
o principle	Name 410-247
8 ()	5205 EAST DRINK SUITET. 6900
Address Telep	ephone No. Address Telephone No.
City State	Zip Code City State Zip Code
A Public Hearing having been formally demanded and this day of that the su that the su regulations of Baltimore County and that the property be re	dor found to be required, it is ordered by the Zoning Commissioner of Baltimore Count ubject matter of this petition be set for a public hearing, advertised, as required by the zoning eposted.
	Zoning Commissioner of Baltimore County
CASE NO. 99-485-6	_
R81 915198	Estimated Posting Date G _ G _ 99

ffidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

9621

That the Affiant(s) does/do presently reside at	4626 BUTTON Address	BUCK CIRCLE	
	Randalls town	MD.	21133
	City	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship)	wing are the facts upor ip or practical difficulty):	which I/we base the req	quest for an Administrative
we have children and	WANT THE D	eck to Expans	DLIVING
SPACE and to provide Si	AFCTY FOR TMI	E CHILDREN,	
That the Affiant(s) acknowledge(s) that if a fo	ormal demand is filed,	Affiant(s) will be require	d to pay a reposting and
advertising fee and may be required to provide a	additional information.		α
Signature Cress	Signat	re grily fre	tiony (rass
Anthony Cross Name - Type or Print	Name -	Type or Print	y - Cross
OTATE OF MADY, AND, COUNTY OF PALTIS	AOPE to with		
I HEREBY CERTIFY, this 19 day of Maryland, in and for the County aforesaid, pe	A V	<u>, 99</u> , before me, a	Notary Public of the State
Anthony Cross + Joycelin	Anthony Co	ass such Afficiant(s) and	made cath in due form of
the Affiant(s) herein, personally known or satislaw that the matters and facts hereinabove set for	orth are true and correc	t to the best of his/her/the	eir knowledge and belief.
AS WITNESS my hand and Notarial Seal		1	1
<u>5-19-99</u> Date	Notary Public	Bregory Cham My Comm. Ex	ps
	My Commissi	on Expires	

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	9626 Button	Buck ChrcLE	
	Randalls town	MD.	21133
	City	Cilic	Zip Code
That based upon personal knowledge, the folio Variance at the above address (indicate hardsh	owing are the facts upon wing or practical difficulty):	nich I/we base the reque	st for an Administrative
we have children an		,	
living SPACE and to pro	ovide SAFRATY	FOR THE CHIL	men,
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed, Aff additional information.	ant(s) will be required to	o pay a reposting and
Signature Cross	Signatute	ycelyn brith	ony-Cross
Anthony Cross Name - Type or Print	Jon Name - Tv	rcelyn antho.	ny-Cross
Name - Type or Print	Hame - Ty	or trace	·
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:		
I HEREBY CERTIFY, this day of	ersopally appeared	99 , before me, a No	
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set	factorily identified to me a forth are true and correct to	s such Affiant(s), and ma the best of his/her/their k	ade oath in due form or cnowledge and belief.
AS WITNESS my hand and Notarial Seal			,
5-19-99	Eric G	regary/Chamis	<u></u>
Date	Notary Public My Commission	My Comm. Exp	os,, 2000
28 0 09 15 98	,	•	



R20 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9626 BUTTON BUCK CIRCLE which is presently zoned OR - 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B 0 1 2 C 1 6 9 3011

PERMIT A REAL CLASS SETBACK OF 17 FT. LILLIEW OF 22.5. FT. TON AW OFEN PROJECTION IN A DR. 5.5 ZONG.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly declare and a perjury, that I/we are the legal o is the subject of this Petition.	iffirm, under t wner(s) of th	the penalties of ie property which
Contract Purchaser/	Lessee:		Legal Owner(s):		
			anthony Cross		
Name - Type or Print			Name - Type or Hrint	\ \ \ \	
Signature			Signature Sourcelum anthom	v - Caos	55
Address		Telephone No.	Name Type of Print	retion	y- Cross
City	State	Zip Code	Signature		1410-655 - 7121 410-199-8400
Attorney For Petition	ner:		quelle BUTER BULK C	irlle	410-333-1733
-			Address RANDALLSTOWN	MD.	Telephone No.
Name - Type or Print			City	State	Zip Code
			Representative to be Co	ntacted:	
Signature			Nicholas P. Tru		
Company			Name 5205 EAST DRIVE	SUITE T.	410-247-6900
Address		Telephone No.	Address	<u> </u>	Telephone No.
			Balto.	MD.	21227
City	State	Zip Code	City	State	Zip Code
A Public Hearing having betthis day of regulations of Baltimore Count	, th	nat the subject matter of th	required, it is ordered by the Zoning (nis petition be set for a public hearing, ac	Commissioner dvertised, as re	of Baltimore County, equired by the zoning
			Zoning Commissioner of	Baltimore Cou	ıntv

Estimated Posting Date

Zoning Description for 9626 Button Buck Circle beginning at a point on the East side of Button Buck Circle which is 25 feet wide at the distance of 35 feet South of the nearest improved intersecting street Deea Trail Way which is 35 feet wide. Being Lot # 64, Block "A" in the subdivision of "Village of Deer Park" as recorded in Baltimore County Plat Book # 66, Folio # 121 containing 3,150 SQUARE Feet. Also known as 9626 Button Buck Circle and located in the 2 nd ELECTION DISTRICT, 2nd Council manic District.

99.485 A 485

BALTIMORE COUNTY, MA OFFICE OF BUDGET & FINANCE NO. 065383 OFFICE OF BUDGET & FINANCE NO. 065383 MISCELLANEOUS RECEIPT DATE 2399 ACCOUNT \$ 5000 AMOUNT \$ 5000 FOR: CTAC: 15000 1	DISTRIBUTION WHITE - CABHIER	RECEIVED (DATE	BALTIMORE OFFICE OF BU MISCELLAN
ACCOUNT ROCK COR (MC) ACCOUNT S SC CO AMOUNT		CASSIC 1		COUNTY, MA DGET & FINANC EOUS RECEIP
No. 065383		RE-MCDE	ACCOUNT S	AND
	100 St.	The Coup has	2000	, <u>ē</u>

CERTIFICATE OF POSTING

RE: CASE # 99-485-A
PETITIONER/DEVELOPER:
[Tony Cross]
DATE OF Closing
[June 21, 1999]

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:



Sincerely,
(Signature of Sign Poster & Date)
•
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405
(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case I	Number	99-	USS] _{-A} :	Address	9626	BUTTONB	CICKCIRCE
		Ĺ		<u> </u>	NDE	•	one Number: 41	
			Planne	r Please Print Your	Name			
Filing	Date: _	5.	28.99	Pos	ting Date: _	6-6-99	Closing Date:	6-21-99
Any c	ontact n h the co	nade ntact	with this or person (pla	ffice regardin nner) using th	ng the status ne case numb	of the administer.	strative variance	should be
1.	reverse repostin	side Ig mu I rest	of this form st be done consible for) and the pe only by one c all associated	titioner is res of the sign po d costs. The	sponsible for all esters on the app e zoning notice	on the approved printing/posting proved list and the sign must be visain there through	ne petitioner sible on the
2.	a forma	ıl rec	suest for a l	oublic hearin	a. Please t	n occupant or o understand that uplete on the clo	wner within 1,00 even if there is esing date.	0 feet to file s no formal
3.	commis order the (typical)	sione nat tl v wif	er. He may: ne matter b hin 7 to 10 c	a) grant the set in for lavs of the cl	ne requested a public hea osing date) a	reliet; (b) deny aring. You will as to whether the	ne zoning or de the requested receive written e petition has be u by First Class n	notification en granted,
4.	(whether commission change)	er du sione d giv certi	e to a neig er), notificati ing notice of	hbor's forma on will be fo the hearing	l request or orwarded to date time ar	by order of the you. The sign and location. As the sign and location.	must go to a purile zoning or den non the proper when the sign was defined as for the sign was be for the sign was the formus of	ty must be as originally
				(Det	ach Along Dotted L	ine)		
Petitio	oner: Ti	his P	art of the F	orm is for the	e Sign Poste	er Only		•
			USE THE	ADMINISTR	ATIVE VARI	ANCE SIGN FO	RMAT	
Case	Number	99-	485.	-A Add	Iress 9	626 Bu	row Buc	K Circa
Petitic	ner's Na	ıme _	CRO	<u>5</u> S			ohone <u>4(0-2</u>	42-6900
Posti	ng Date:	: _(· - 6 - 99	•	Clo	osing Date: <u></u>	3-21-99.	
Wordi	ng for Si	gn:	To Permit				7FT INL	icutt_
							DR.55 ZO	
							- 4000	Povisod 7/2/02

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

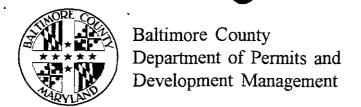
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 99 - 485 - A
Petitioner: MR + MR ANTHONY CROSS
Address or Location: 9626 Button Buck Circle
PLEASE FORWARD ADVERTISING BILL TO: Name: Name: Trey
l l
Address: 5205 EAST DRIVE SUTE T.
BACTIMORE MD. 21227
Telephone Number: 410-247-6900



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

June 21, 1999

Mr. Nicholas D. Trey 5205 East Drive, Suite T Baltimore, MD 21227

Dear Mr. Trey:

RE: Case No.: 99-485-A, Petitioner: Anthony and Joycelyn Cross,

Location: 9626 Button Buck Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 28, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

June 16, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 7, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467,

468, 469, 470, 471, 472, 474, 475, 476, 477, 478, 479,

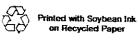
480, 483, 484, AND (485)

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RECEIVED JUN 2 1 1899



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: June 16, 1999

Department of Permits & Development

Management

FROM

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for June 14, 1999

Item Nos. 456, 459, 460, 461, 462,

464, 466, 467, 468, 469, 471, 472,

474, 475, 476, 477, 482, 483, 484,

& (485)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Department of Permits and Development Management **Date:** June 4, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 456, 455, 472, 474, 484, and 485

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Jeffy W'25

Section Chief:

AFK/JL



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 6.4.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 485 JRA

Dear. Ms Stephens:

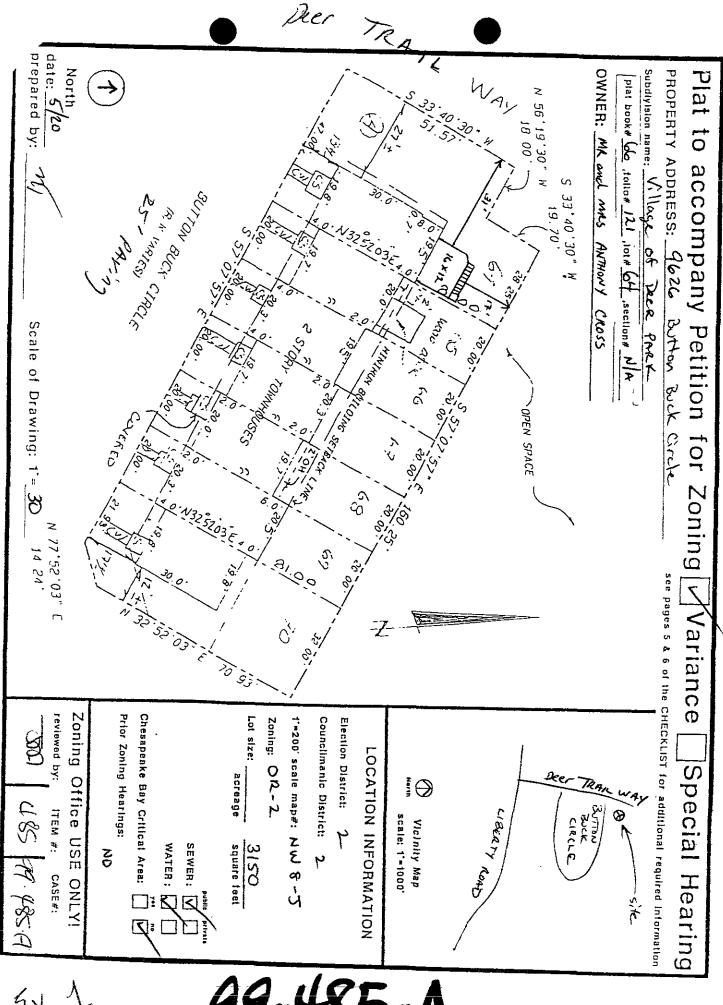
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

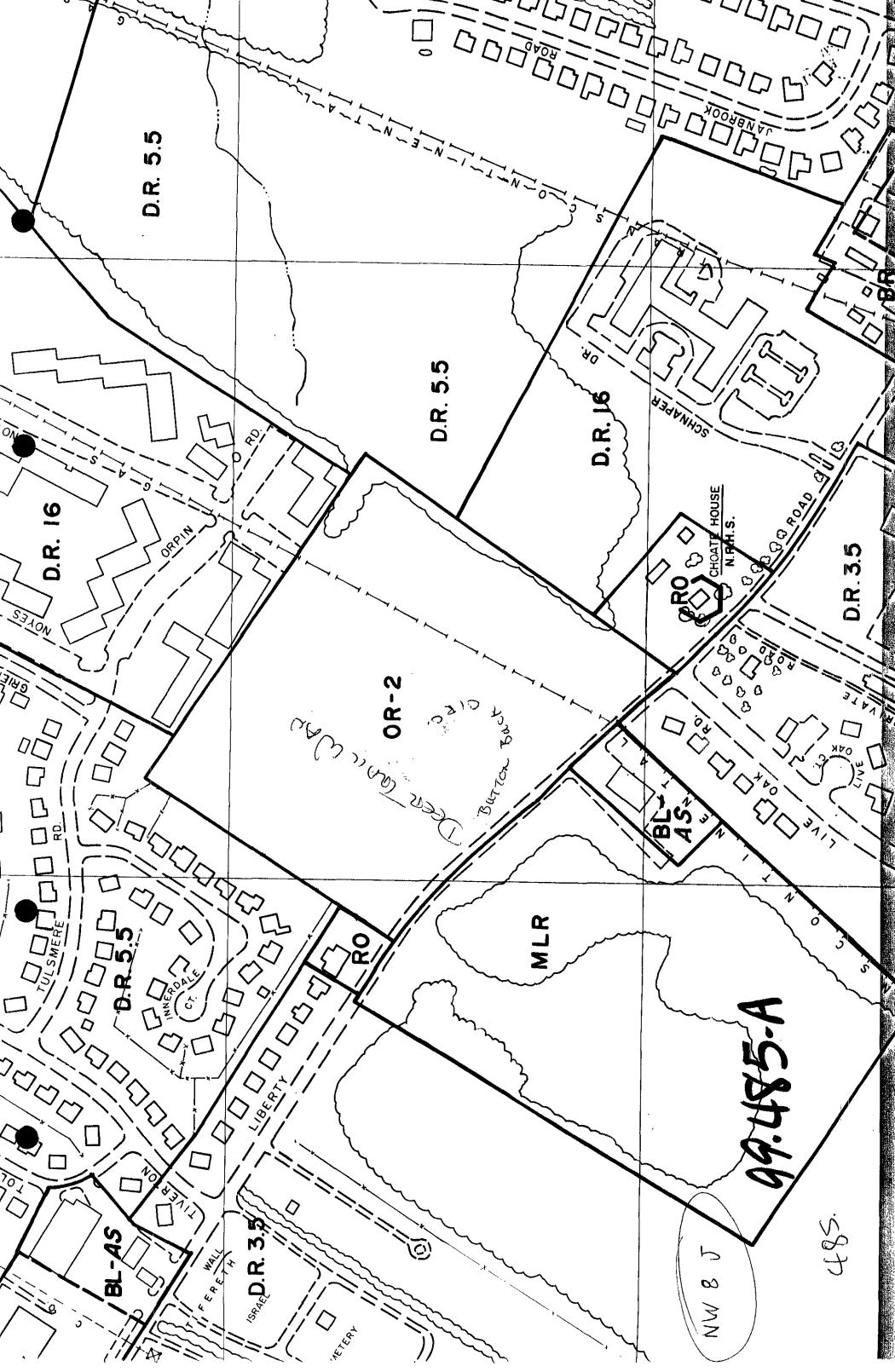
Very truly yours,

L. J. Gredle:
Michael M. Lenhart, Chief

Engineering Access Permits Division



pg1.5x.1





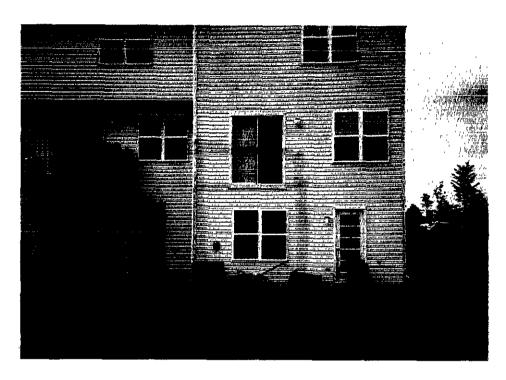
View of site from left stole of Home



Vew of site from Right side of home

99.485-A

485



View of site from rear of Lot



View of Rear LOT from Existing Home

99.485-A

